

### REMARKS

Claims 1, 2, 6-11, and 13-18 are pending.

Claims 1, 7, 10 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,006,994 to Campbell et al. (Campbell) in view of U.S. Patent Application Publication No. 2001/0049636 to Hudda et al. (Hudda), and further in view of Official Notice. Claims 2-6, 8-9 and 11-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell in view of Hudda, and further in view of Official Notice and U.S. Patent Application Publication No. 2002/0186845 to Dutta et al. (Dutta). Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell, Hudda, Dutta, and further in view of Official Notice.

Applicants have amended independent Claims 1, 10, 13 and 18 for clarification. Applicants have cancelled Claims 3, 4, 5, and 12 without prejudice, waiver or disclaimer.

To the extent that the rejections have not been rendered moot by the cancellation of claims, Applicants respectfully traverse the §103 rejections for at least the reasons set forth below.

#### **§103 Rejections Are Overcome**

Independent Claims 1, 10 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell in view of Hudda, and further in view of Official Notice. Applicants respectfully traverse the rejection on the basis that Campbell and Hudda and Official Notice, alone or in combination, fail to disclose or suggest all of the recitations of amended independent Claims 1, 10 and 18. For example, amended Claim 1 recites a credit alert system, comprising:

a wireless subscriber account server for receiving an ***unsolicited credit card alert*** from a credit card account database regarding at least one of available credit and credit status for a credit card account, ***wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account***;

a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information;

an application module in communication with the wireless subscriber account server for ***comparing information contained in the credit card alert to subscriber information contained in the wireless subscriber database to determine a wireless subscriber associated with a credit card account*** and for preparing a message to communicate to a wireless device of a subscriber in response to receiving the unsolicited credit card alert from the credit card account database; and

***a Wireless Application Protocol (WAP) push proxy gateway in communication with the wireless subscriber account server that sends the message to the wireless device of the subscriber using an available mobile network bearer service.***

Independent Claims 10 and 18 have been similarly amended.

The primary reference, Campbell, describes an automated receivables management system that uses an electronic network to provide a self-service collection environment using an electronic network, such as the Internet or PCS, as a medium for communication and transaction execution. The Campbell system provides comprehensive collections services in a fully automated fashion, including account decisioning, treatment specification, communication channel specification, and communication to the customer with a method for payment/response from the customer using the electronic channel. Campbell specifically states that "the present invention provides the ability to e-mail or otherwise electronically send a notice to the delinquent, overlimit or special status customer." (Col. 8, Lines 7-11). Thus, the Campbell system ***already has a customer's contact information***. The Campbell system has no need for a separate server or application module to determine how to contact a customer. Specifically, Campbell has no need for a wireless subscriber account database, a wireless subscriber account server, or an application module in communication with the wireless subscriber account server for "***comparing information contained in the credit card alert to subscriber information contained in the wireless subscriber database to determine a wireless subscriber associated with a credit card account*** and for ***preparing a message to communicate to a wireless device of a subscriber in response to receiving the unsolicited credit card alert*** from the credit card account database", as recited in Claim 1. Moreover, Campbell fails to teach or suggest a "***Wireless Application Protocol (WAP) push proxy gateway*** in communication with the wireless subscriber account server ***that sends the message to the wireless device of the subscriber using an available mobile network bearer service***", as recited in Claim 1.

The credit card alert system recited in Claim 1 is utilized by credit card companies that ***do not know or have access to customer contact information***, specifically a customer's wireless device information. Moreover, unlike the Campbell system, the credit card alert system recited in Claim 1 cannot send a message directly to a customer. As recited in independent Claim 1, Applicants' credit alert system utilizes a wireless subscriber account

server for receiving an unsolicited credit card alert from a credit card account database, *wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account.* A wireless subscriber account database that stores wireless subscriber account information is in communication with the wireless subscriber account server. An application module is in communication with the wireless subscriber account server for *comparing information contained in the credit card alert to subscriber information contained in the wireless subscriber database to determine a wireless subscriber associated with a credit card account* and for *preparing a message to communicate to a wireless device of a subscriber in response to receiving the unsolicited credit card alert* from the credit card account database. A WAP push proxy gateway sends the message to the wireless device of the subscriber using an available mobile network bearer service.

One skilled in the art would not be motivated to modify the Campbell system to include the recitations of Claim 1 since the Campbell system *already has a customer's contact information*. There would be no need to modify Campbell to come up with another way of determining how to contact customers since the Campbell system already knows how to contact them. As such, the combination of Campbell and Hudda is improper.

Moreover, even if the teachings of Campbell were combined with those of Hudda, as suggested by the Action, the resultant combination would still lack Applicants' variously claimed features relating to a credit card account. Hudda describes a system for purchasing goods and services in a wireless fashion while the consumer is in-store at a retailer's establishment or remotely through wireless interaction with the retailer. (Hudda, Para. 0056). Hudda is silent with respect to a system for purchasing goods and services that allows consumers to receive *unsolicited credit card* messages regarding important changes to their credit card or other line of credit status. Moreover, Hudda fails to teach or suggest an application module in communication with a wireless subscriber account server for *"comparing information contained in the credit card alert to subscriber information contained in the wireless subscriber database to determine a wireless subscriber associated with a credit card account* and for *preparing a message to communicate to a wireless device of a subscriber in response to receiving the unsolicited credit card alert* from the credit card account database", as recited in Claim 1. Hudda also fails to teach or suggest a *"WAP push proxy gateway* in communication with the wireless subscriber account server *that sends the*

*message to the wireless device of the subscriber using an available mobile network bearer service"*, as recited in Claim 1.

Applicants fail to understand the argument set forth regarding Official Notice on page 4 of the Action. Official Notice appears to be taken that it is well known to ensure security of customer information in the credit card industry. However, this certainly does not lead one skilled in the art to arrive at Applicants' claimed subject matter. This certainly does not teach or suggest an application module in communication with a wireless subscriber account server for *"comparing information contained in the credit card alert to subscriber information contained in the wireless subscriber database to determine a wireless subscriber associated with a credit card account* and for *preparing a message to communicate to a wireless device of a subscriber in response to receiving the unsolicited credit card alert* from the credit card account database", as recited in Claim 1. Nor does this teach or suggest a *"WAP push proxy gateway* in communication with the wireless subscriber account server *that sends the message to the wireless device of the subscriber using an available mobile network bearer service"*, as recited in Claim 1.

As such, independent Claim 1 is not rendered obvious by the combination of Campbell, Hudda and Official Notice. Applicants respectfully assert that the rejection of independent Claim 1 under 35 U.S.C. §103 is overcome. Additionally, Applicants submit that dependent Claims 2, 4, and 6-9 are patentable at least by virtue of the patentability of independent Claim 1, from which they depend and respectfully request the allowance thereof. For at least the same reasons described above with respect to independent Claim 1, Applicants respectfully assert that independent Claims 10 and 18, and all claims depending therefrom, are not rendered obvious by the combination of Campbell, Hudda and Official Notice.

#### **Various Dependent Claims are Separately Patentable**

The dependent claims are patentable at least per the patentability of the independent claims from which they depend. Moreover, many of the dependent claims are separately patentable.

The Action cites Dutta in combination with Campbell, Hudda, and Official Notice in support of the rejections of dependent Claims 2-6, 8-9, and 11-16. However, Dutta fails to make up for the deficiencies of Campbell, Hudda and Official Notice at least because it, too,

is silent with respect to a system that allows consumers to receive unsolicited credit card messages regarding important changes to their credit card or other line of credit status. Dutta describes remotely disabling and enabling access to secure transaction functions of a mobile terminal. (Dutta, Abstract).

With respect to Claims 2 and 11, the combination of Campbell, Hudda, Official Notice, and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a WAP enabled wireless device of a subscriber in response to receiving an alert from the credit card account database. As such, Claims 2 and 11 are patentable over Campbell, Hudda, Official Notice and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 13, the combination of Campbell, Hudda, Official Notice and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a WAP enabled wireless device of a subscriber in response to receiving an alert from the credit card account database, wherein the message is communicated to the WAP enabled wireless device via a gateway in communication with the wireless subscriber account server and WAP enabled wireless device, and wherein the gateway includes a push proxy. As such, Claim 13 is patentable over Campbell, Hudda, Official Notice and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 14, the combination of Campbell, Hudda, Official Notice and Dutta fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account when the credit card account exceeds a predetermined amount; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 14 is patentable over Campbell, Hudda, Official Notice and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 15, the combination of Campbell, Hudda, Official Notice and Dutta fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account upon non-receipt of a credit payment; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 15 is patentable over Campbell, Hudda, Official Notice and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 16, the combination of Campbell, Hudda, Official Notice and Dutta fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account upon the credit card account's designation as past due; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 16 is patentable over Campbell, Hudda, Official Notice, and Dutta, alone or in combination, for at least this additional reason.

With respect to Claim 9, the combination of Campbell, Hudda, Official Notice and Dutta fails to teach or suggest a wireless subscriber account server for receiving an alert from

a credit card account database regarding at least one of available credit and credit status for a credit card account, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; a wireless subscriber account database in communication with the wireless subscriber account server for storing wireless subscriber account information; and an application module in communication with the wireless subscriber account server for determining a wireless subscriber associated with a credit card account and for preparing a message to communicate to a wireless device of a subscriber in response to receiving an alert from the credit card account database, and wherein the wireless device is a portable computer having a wireless modem. As such, Claim 9 is patentable over Campbell, Hudda, Official Notice and Dutta for at least this additional reason.

With respect to Claim 17, the combination of Campbell, Hudda, Dutta and Official Notice fails to teach or suggest receiving an alert from a credit card account database at an application module in communication with a wireless subscriber account database, wherein the credit card account database does not have or have access to wireless subscriber account information for a person associated with the credit card account; matching the alert to a wireless subscriber's account; generating a WAP push initiator message relating to the credit card account upon suspension of the credit card account; and transmitting the WAP push initiator message to a WAP enabled wireless device of the subscriber via a WAP enabled push proxy gateway. As such, Claim 17 is patentable over Campbell, Hudda, Dutta and Official Notice for at least this additional reason.

### **Conclusion**

In view of the above, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



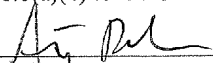
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